

STUDENT DISCIPLINE
EXPULSION

FOD
(EXHIBIT)B

Expulsion Order (For Offense Other Than Firearm Violation)

[When a student is expelled, the campus behavior coordinator is required by law to promptly contact the parent or guardian by telephone or in person and make a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian. See FO(LEGAL).]

Date: _____

VIA CERTIFIED MAIL /
RETURN RECEIPT REQUESTED

Name of parent or guardian: _____

Address of parent or guardian: _____

[If the period of an expulsion is inconsistent with the guidelines included in the Student Code of Conduct (SCOC), the order must give notice of the inconsistency.]

Re: Expulsion Hearing—_____ (student's name)

Dear _____ (name of parent or guardian):

This letter is to inform you that on the basis of the evidence presented in the expulsion hearing held on _____ (date of original hearing before the Board or position of individual designated by the Board in the District's Code of Conduct), _____ (student's name) was found to have

_____ (offense), a violation of Texas Education Code Section 37.007 and the District's Student Code of Conduct. The _____ (Board of Trustees or position of individual designated by the Board in the District's Code of Conduct) has decided to expel _____ (student's name) for the term of _____. (Indicate the number of days, weeks, or semesters. If the expulsion is until the end of the semester or extends beyond the semester, indicate fall or spring and the year.) The student may return to school on _____ (indicate the first school day after the expulsion term ends). In making this decision, the District considered factors relating to the violation, such as self-defense, intent or lack of intent at the time the student engaged in the conduct, disciplinary history, or a disability that impairs the student's capacity to appreciate the wrongfulness of the conduct.

During the period of expulsion, _____ (student's name) is prohibited from being on school premises or attending or participating in any school-sponsored or school-related activities. You are required by Texas Education Code Section 37.009(h)(2) to provide adequate supervision of the student during the period of expulsion.

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[Use the following paragraph if the expulsion hearing was conducted by the Superintendent or other Board designee.]

You have the right to request a review of the decision by the Board of Trustees. To do so, contact my office within _____ days after the day you receive this order. Within _____ days after I receive your request, I will provide you written notice of the date, time, and place of the Board meeting at which you may present your appeal. _____ (student's name) will remain expelled during the appeals process.

[Use the following paragraph if the decision to expel was made by the Board of Trustees.]

The decision of the Board of Trustees may be appealed by *trial de novo* to a district court of Ector County, the county in which the District's central administration office is located.

A copy of this order will be delivered to the authorized officer of the juvenile court in the county in which _____ (student's name) resides. In addition, the District has notified law enforcement authorities of the offense pursuant to Texas Education Code Section 37.015(a). *[The District should confirm whether the offense for which the student was expelled is to be reported to law enforcement under Section 37.015(a).]* The District will also notify each teacher with whom _____ (student's name) has regular contact. This information will remain confidential to the extent permitted by law.

If you have any questions regarding this matter, please call my office at _____ (telephone number).

Sincerely,

(Superintendent of Ector County Independent School District or position of other individual designated by the Board)

cc: Juvenile Court

cc: _____ (appropriate police department)

Dated this the _____ day of _____, 20____.

[administrator name], [administrator title]
Ector County ISD